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Attorneys for Plaintiffs
ANDREW TETER & JAMES GRELL

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

ANDREW TETER and JAMES GRELL	) Civil No. 1:19-cv-00183 ACK-WRP
)
)
Plaintiffs,	) PLAINTIFFS' SEPARATE CONCISE
	) STATEMENT OF FACTS IN SUPPORT
v.	) OF MOTION FOR SUMMARY JUDG-
CLARE E.CONNORS, in her	) MENT; DECLARATION OF COUNSEL;
Official Capacity as the Attorney	) DECLARATION OF ANDREW TETER;
General of the State of Hawaii and AL	) DECLARATION OF JAMES GRELL;
CUMMINGS in his Official Capacity	) DECLARATION OF BURTON RICHA-
as the State Sheriff Division	) RDSON; EXPERT REPORT OF
Administrator	) BURTON RICHARDON; DEPOSITION
	) OF ROBIN NAGAMINE; CERTIFICATE
	) OF SERVICE
Defendants.	) TRIAL: June 16, 2020 – 9:00 AM
	) JUDGE: Hon. Alan C. Kay
	HEARING: Not Scheduled

**PLAINTIFFS' SEPARATE CONCISE STATEMENT OF FACTS IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

In accordance with Rule 56.1 of the Local Rules for the United States District Court for the District of Hawaii, Plaintiffs Andrew Teter and James Grell submit their concise statement of undisputed facts in support of their concurrently-filed Motion for Summary Judgment.

FACT	EVIDENTIARY SUPPORT
1. Plaintiff Andrew Teter is adult male residents of the State of Hawaii.	Dec. of Andrew Teter ¶1; Ex "A"
2. Plaintiff Teter has never been convicted of a crime which would dispossess him of his Second Amendment rights; has never been convicted of a felony; has never been convicted of a misdemeanor crime of domestic violence and is not prohibited from owning firearms.	Dec. of Teter ¶3; Ex "A"
3. Plaintiff Teter has not been deemed to have a mental illness from any mental health professional.	Dec. of Teter ¶4; Ex "A"
4. Plaintiff Teter does not use illegal drugs or abuse alcohol.	Dec. of Teter ¶5; Ex "A"
5. Plaintiff Teter wants to purchase, own, possess and carry butterfly knife for self-defense outside and inside his home.	Dec. of Teter ¶6; Ex "A"
6. Under current Hawaii law, Plaintiff Teter cannot possess, own, or carry a butterfly knife.	Dec. of Teter ¶7; Ex "A"; <i>See also</i> H.R.S. §134-53

7. Plaintiff James Grell is adult male residents of the State of Hawaii.	Dec. of James Grell ¶1; Ex “B”
8. Plaintiff Grell has never been convicted of a crime which would dispossess him of his Second Amendment rights; has never been convicted of a felony; has never been convicted of a misdemeanor crime of domestic violence and is not prohibited from owning firearms.	Dec. of Grell ¶3; Ex “B”
9. Plaintiff Grell has not been deemed to have a mental illness from any mental health professional.	Dec. of Grell ¶4; Ex “B”
10. Plaintiff Grell does not use illegal drugs or abuse alcohol.	Dec. of Grell ¶5; Ex “B”
11. Plaintiff Grell wants to purchase, own, possess and carry butterfly knife for self-defense outside and inside his home.	Dec. of Grell ¶6; Ex “B”
12. Under current Hawaii law, Plaintiff Grell cannot possess, own, or carry a butterfly knife.	Dec. of Grell ¶7; Ex “B”; <i>See also</i> H.R.S. §134-53
13. Burton Richardson is an expert on the butterfly knife and knife fighting due to decades of training with knives and martial arts.	Dec. of Burton Richardson, ¶ 3; Exhibit “C”
14. A butterfly knife opens more slowly than a modern pocket knife.	Dec. of Burton Richardson, pp. 3-4; Exhibit “C”
15. Butterfly knives open more slowly than a switchblade knife.	Dec. of Burton Richardson, p. 6; Exhibit “C”
16. Butterfly knives were invented in the Philippines.	Dec. of Burton Richardson, ¶ 4; Exhibit “C”; Deposition of Robin Nagamine Tr. 26:5-7; Exhibit “E”.

17.A butterfly knife is designed to be used by a single person, either for self-defense or offense.	Deposition of Robin Nagamine Tr. 24-25:15-5; Exhibit "E".
18.A knife is less dangerous than a handgun.	Deposition of Robin Nagamine Tr. 27:19-21; Exhibit "E".
19.Lt. Nagamine testified that an arm could be anything "[i]f it's something that could be used as a weapon to harm others – it could be a stick."	Deposition of Robin Nagamine Tr. 21:17-19; Exhibit "E".
20.Butterfly knives are illegal only in Hawaii, New Mexico and the state of Washington.	<i>See HRS 134-53; NM Stat § 30-7-8; and RCW 9.41.250.</i>

Dated: Madison, Mississippi, January 14, 2020.

Respectfully submitted,

/s/ Alan Beck
Alan Alexander Beck

/s/ Stephen D. Stamboulieh
Stephen D. Stamboulieh
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